

**APPROVED 12-18-08**  
**TOWN OF NORTH HAVEN, CONNECTICUT**  
**MINUTES OF THE**  
**ZONING BOARD OF APPEALS**

Zoning Board of Appeals meeting held on Thursday, November 20, 2008 at the Mildred A. Wakeley Community & Recreation Center in Room #2 at 7:30 PM.

**MEMBERS PRESENT:**

Robert F. Hannon, Chairman  
Theresa Ranciato-Viele, Vice Chairman  
Caren M. Genovese  
Joseph Cappucci  
Robert E. Martin, Alternate, sitting for Donald F. Clark  
Mary Jane Mulligan, Alternate

**MEMBERS ABSENT:**

Donald F. Clark, Secretary  
Cheryl Juniewicz, Alternate

**TOWN PERSONNEL:**

Alan A. Fredricksen, Land Use Administrator  
Arthur Hausman, Zoning Enforcement

**OTHERS PRESENT:**

Mary Lee Rydzewski, Public Stenographer  
Sandi Lion, Clerk

**AGENDA:**

Mr. Hannon called the meeting to order at 7:33 PM. He introduced the members of the Board, the Town staff, the stenographer and clerk. Mr. Hannon explained that under the Connecticut State Statutes for an appeal request to be approved, the applicant needs a minimum of four (4) Board members to concur. Mr. Fredricksen stated that application #08-53, 139 Middletown Avenue, is postponed to the December 18, 2008 meeting.

Mrs. Genovese read the call for the first agenda item.

1. #08-52 Application of Barry I. Steinberg, Applicant, Montesi Family, LLC, Owner, relative to 444/460 State Street, (Map 26, Lot 55), per Section 4.4.1, to permit a second residential apartment in a building in a CB-40 Zoning District. CB-40/R-20 Zoning Districts.

Mr. Barry Steinberg, P.E., presented the application to permit a second residential apartment in an existing non-conforming building that is in a CB-40 Zone. The applicant would like to convert the first floor of this building into residential space. The second floor of this building is an existing, non-conforming residential use. The Commission is concerned that in the future this building may go back to commercial use. Mrs. Claudia Montesi stated that this building will stay with the Montesi family. If this application is approved this building will become a two-family residence.

The Board asked a few more questions and Mr. Steinberg responded.

Mr. Hannon asked for public comment.

There being no public comment, the matter was closed.

2. #08-53 Application of Joseph Sorrentino, Owner and Applicant, relative to 139 Middletown Avenue, (Map 7, Lot 21), per Section 4.4.1, requesting a variance to permit three (3), two (2) bedroom apartments in a building in a CB-20 Zoning District. CB-20 Zoning District.

This application was postponed to the December 18, 2008 meeting.

**DELIBERATION SESSION:**

1. #08-52 Application of Barry I. Steinberg, Applicant, Montesi Family, LLC, Owner, relative to 444/460 State Street.

Mrs. Genovese moved to approve the application; Mrs. Ranciato-Viele seconded the motion. The Board voted as follows:

Hannon – nay Ranciato-Viele - nay Genovese – aye Cappucci - nay Martin - nay

The application was therefore denied.

In denying the application, the Board stated the following.

1. The Board finds there is no hardship.
2. Approving this application will turn this dwelling into a two-family residence in a commercial zone.
3. The approval of this application would bring this property further from conformity.

**CEASE AND DESIST ORDERS:**

5 Evergreen Place – vehicle violation

The applicant was not present.

**CORRESPONDENCE:** None

**MINUTES:**

October 16, 2008

Mrs. Genovese moved to approve the minutes of October 16, 2008; Mrs. Ranciato-Viele seconded the motion; the Board members voted as follows:

Hannon – aye Ranciato-Viele – aye Genovese – aye

**OTHER:** None

**ADJOURN:**

There being no further business, Mr. Cappucci moved to adjourn; Mrs. Ranciato-Viele seconded the motion; the Board unanimously approved the motion. The meeting

was adjourned at 8:15 PM.